of Company Affairs, all Regional Direc tors and Registrars of Companies were advised to ensure that where the penal provisions contained in the Companies Act, 1956 provide for punishment of 'Officers in default', prosecution be filed against the Managing Director (s), Whole-time director (s) and Manager, apart from the Secretary, 2 any, and the company and only in cases where there is no such managerial personnel (i.e. Managing Dir-ector/whole-time Director|Manager), prosecution be filed against all the directors, apart from the Secretary, if any, and the company.

This clarification is in *no* way in conflict with, any recent judicial pronounce-ment. As a matter of fact, such an interpretation of Section 5 of the Companies Act was given by the Hon'ble High Court of Judicature for Rajasthan at Jaipur Bench in a case recently.

Uniform Civil Code

1494. SHRI JAGMOHAN: Will the PRIME MINISTER be plesed to state:

(a) whether Government are considering enactment of a uniform civil code for ail its citizens in view of the specific provisions of Article 44 of the Constitution and the recent judgement of the Lucknow Bench of the Allahabad High Court: and

(b) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE *AND* COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): (a) and (b) No, Sir. En-actment of Uniform Civil Code for all citizens will necessarily involve changes in; the personal laws of the minority com-munities. The consistent policy of the Government has been not to interfere on its own in the personal laws of the minority commuinities unless the initiative for the changes come from those comm-unities.

Strike by lawyers of Delhi Bar Associa-

1495. SHRI HANUMANTHAPPA Will the PRIME MINISTER be please to state:

(a) whether if is a fact that the lawyer; of Delhi Bar Association went on strike recently in protest against the proposal to implement the Family Courts debarring them from appearance; add

(b) if so, the reaction of Government and the action Government propose to lake in this matter?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. . BHARDWAJ): (a) Yes, Sir

(b) The matter is under consideration of the Government.

Establising and of De-limittion Commis_sion

1496. SHRI YERRA NARAYANA-SWAMY: Will the PRIME MINISTER be pleased to state:

(a) whether there is a proposal to introduce legislation in this Session for establishment of a De-Limitation Commission;

(b) if so, the details thereof;

(c) whether the varied sizes of constit-uncies have to be reviewed; and

(d) if so, the steps proposed in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): (a) to (d) There is a proposal to introduce a Constitution Amendment Bill in this Session of Parliament to provide for fresh delimitation of constituencies on the basis of 1991 Census without aflfecting the existing number of seats allocated to various States. ActiV

for introducing a legislation for establishment of Delimitation Commission can be taken only after the proposed Constitu-ison Amendment Bill is passed by Parliament.

Remenual measures (or delayed justics

1497. SHRI CHIMANBHAI MEHTA:
SHRl P. UPENDRA:

Will the PRIME MINISTER be pleased to state:

(a) whether Government have exchanged views with judiciary on the Pro-Meats of delayed justice throughout , the country;

(b) whether it is a fact that lawyera are benefited due to long delays and 'thereor the disposal is not quick anough;

(c) whether it is also a fact that the lowyers take frequent edjournment in the courts, prolong litigations and make clients suffer financially and mentally;

(d) whether Government would appoint a comruission to hear and understand clients' grievances against delays; and

(e) whether Government would request odicsary and work out a methodolog whereby delays are cut short?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H R BHARDWAJ): (a) to (e) In order to consider the problem of arrears of oases to Courts and find out ways and means to deal with it as expeditiously as possible, a meeting of the Chief Ministers and Chief Justices of the High Courts was he'd on 4th December, 1993, under the Chairmanship of Prime Minists. The Conference adopted. several resolution, which have been commended to all the State Governments UT Administrations and High Courts for necessary action. The Chief Ministers and Chief Justices, while noting that the problem of arrears was complex in nature, emphasised that timely action was called for with a view to bringing the justice system in-tune with the current needs of all court users at the same time ensuring the quality of justice required to be maintained in any State governed by the Rule of Law.

The Adminisration of Justice has been made a plan item with a view to remove infrastructural bottlenecks coming in the way of expeditious disposal of cases.

Financial mismanagement toy • INCAB Industries Ltd.

1498. SHRI GAYA SINGH: Will the PRIME MINISTER be pleased to state:

'a) whether it is a fact that a mat'er of financial mismanagement of Company's fond by the management of M/s. Incab Indusries Ltd. is pending before the Company Law Board since long for a decision of deeper probe imto this as per suggestion by DCA who found serious charges during preliminary investigation; and

(b) if so, the reasons therefor and when the CLB is going to fix « date for hearing in this matter?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): fa) and (b) A reference was made to the Company Law Board under Section 237 (b) of the Companies Act, 1956 for ordering investigation into the affairs of M/s. Incab Industries Limited. The Compay Law Board heard the departmental representative of the Central Govrnment in this regard on 13th July, 1994. The matter is sub-judice before the Company Law Board and its decision ss awaited.